IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Contempt Petition No.187 of 2004.

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Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Register's orders.	Court's or Judge's Orders

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Shri S. N. Kumar Advocate for the petitioner.
CORAM : A.H. JOSHI, J.
DATED : 16 /11/2006.

1. Parties are not on dispute that now the order passed by Ombudsman has become enforceable. For all purposes, it is a case of direction to make payment. Remedies of recovery were open to the petitioner. The Central Bank of India whose Branch Manager is arrayed as Contemnor no.2 has already deposited in this Court a sum of Rs.2,92,000/-

2. Learned Advocate Mr. Almelkar states that:

(a) the bank shall make the payment of unpaid interest till the date of deposit and cost by making payment directly to the petitioner within two weeks from today;

(b) the petitioner is entitled to withdraw the amount of Rs.2,92,000/- deposited in this Court along with accrual whatever thereon;

(c) the respondent no.2 is ready and shall place on record un-conditional apology towards delay in compliance of the order.

3. Accepting the statement and undertaking of learned Advocate Mr. Almelkar made before this Court with all solemnity, this Court is of the view that it shall not be necessary to proceed with and take any action in the present Contempt Petition.

4. Contempt Petition is, therefore, disposed of with following directions:

[1] The Office shall release to the petitioner the amount of Rs.2,92,000/- deposited in this Court along with accruals thereon.

[2] The respondent no.2 shall :

(a) place on record un-conditional apology within

two weeks; and

(b) shall make the payment of interest on the amount due till the amount was deposited in this Court and costs.

[3] Contempt Petition disposed of.

JUDGE

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